

City of Ann Arbor

301 E. Huron Street
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Action Minutes

Thursday, August 8, 2013

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor
City Council meets in caucus the Sunday prior to each regular session at 7 p.m. in the Council Chamber.

City Council

CALL TO ORDER

Mayor Hieftje called the meeting of the Ann Arbor City Council to order at 7:07 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen and Councilmember Chuck Warpehoski

APPROVAL OF AGENDA

A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Agenda be approved with the following changes:

Move: DB-2 Resolution to Approve 414 Main Site Plan and Development Agreement, 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Consider after B-3)

Move: DB-3 Resolution to Approve 401 North Fourth Avenue Site Plan and Development Agreement, 401-403 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Consider after B-2)

On a voice vote, the Mayor declared the motion carried.

INT INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Lefiest Galimore - Repeal of Michigan's Stand Your Ground Law Resolution (DC-2)

Lefiest Galimore, 3139 Plymouth Road, spoke in support of the Resolution to Repeal Michigan's Stand Your Ground Law.

2. Jeff Hayner - Ann Arbor Bike Share Master Agreement with Clean Energy Coalition (DS-2)

Jeff Hayner, 1807 Pontiac Trail, spoke in support of the proposed bike share agreement. He stated this is a good start towards more non-motorized transportation.

3. Blaine Coleman - Against the Lynching of Millions of Black Americans (DC-2)

Blaine Coleman, 1501 Ardmoor Avenue, spoke in support of the Resolution to Repeal Michigan's Stand Your Ground Law. He stated more money should be spent on rebuilding urban areas than needless wars.

4. Mozhgan Savabieasfahni - Against the Lynching of Millions of Black Americans (DC-2)

Mozhgan Savabieasfahni, Ann Arbor resident, spoke about racism in the United States and the need to repeal Stand Your Ground laws.

5. Meghan Clark - Surveillance and Privacy

Meghan Clark, 1st Ward resident, expressed concerns about privacy and surveillance. She stated she was disappointed that City Council did not approve the Surveillance Ordinance. She stated privacy guidelines are needed and the concern is real.

6. Lucia Heinold - Repeal of Michigan's Stand Your Ground Law Resolution (DC-2)

Lucia Heinold, 1224 Wines Drive, spoke in support of the Resolution to Repeal Michigan's Stand Your Ground Law.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER BRIERE**

Councilmember Briere provided Council with an update from the North Main Huron River Task Force. She stated the task force has met steadily for the last year, but they are not quite ready with their final report to Council. She stated they are meeting one last time on August 14 at 5:00 p.m. in the basement of City Hall to review their draft report. Following this review, the draft will be submitted to City Council.

Councilmember Briere stated the Ordinance Review Committee of the Planning Commission was meeting to review the D1 zoning process. There will also be a working session of the entire Planning Commission to review the non-motorized transportation plan.

COUNCILMEMBER PETERSEN

Councilmember Petersen updated Council on the Commission on Disability Issues. The United Nations Office for Disaster Risk Reduction (UNISDR) is conducting a survey to ascertain the needs of persons living with disabilities and disasters and the City has provided a link to the survey on the City website on the Disabilities Resources Page.

COUNCILMEMBER TEALL

Councilmember Teall updated Council on several Housing Commission projects, including a weatherization project at Hikone and new tenant windows at Baker Commons. She stated there is also a new non-smoking policy that will be implemented at all Housing Commission properties.

COUNCILMEMBER ANGLIN

Councilmember Anglin updated Council regarding community outreach efforts, including a grass roots community meeting that took place at a church on Jefferson and Fourth. He stated these community meetings focus on neighborhood concerns.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers updated Council on the following:

The groundbreaking for the Ann Arbor Skatepark at Veteran's Memorial Park will take place tomorrow, August 9, at 12:00 p.m. All are invited.

The Natural Areas Preservation (NAP) program celebrated its 20th anniversary this afternoon. An ice cream social was held at Island Park.

Canoe rentals at Argo Livery are up more than 50% from last July. Mr. Powers stated this is largely due to the success of Argo Cascades.

Mr. Powers stated the online citizen request system is back online at www.a2gov.org.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 13-0810** An Ordinance to Amend Sections 1:552.1 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement Changes Negotiated with the Police Service Specialists and the Command Officers Association of Michigan Bargaining Units (Ordinance No. ORD-13-20)

Attachments: 13-20 Chpt 18 Briefed, Sec 1 552 1 Chpt 18 Code PSS and COA, ORD 13-20 Approval Notice

A public hearing was conducted on the proposed Ordinance to Amend Sections 1:552.1 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement Changes Negotiated with the Police Service Specialists and the Command Officers Association of Michigan Bargaining Units (Ordinance No. ORD-13-20). Notice of public hearing was published July 25, 2013.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: ORD-13-20

- PH-2 13-0680** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.18 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 401 North Fourth Avenue Property, 401 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-18)

Attachments: ORD-13-18 401 N Fourth Ave Zoning Ordinance Briefed, 401 N Fourth Ave Zoning Ordinance.pdf, 5/21/13 Planning Staff Report, ORD 13-18 Approval Notice

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 0.18 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 401 North Fourth Avenue Property, 401 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-18). Notice of public hearing was published July 18, 2013.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: ORD-13-18

PH-3 13-0856

Resolution to Approve 401 North Fourth Avenue Site Plan and Development Agreement, 401-403 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 401-403 N Fourth and 414 N Main Staff Report with Attachments-Revised, 5/21/13 Planning Commission Minutes, 401 N. Fourth Development Agreement

A public hearing was conducted on the proposed Resolution to Approve 401 North Fourth Avenue Site Plan and Development Agreement, 401-403 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays). Notice of public hearing was published July 25, 2013.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: R-13-254

PH-4 13-0678

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.57 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 414 Main Property, 402, 408 and 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-17)

Attachments: ORD-13-17 414 Main St Zoning Ordinance Briefed, ORD-13-17 414 Main St Zoning Ordinance Briefed, 414 Main St Zoning Ordinance, 5/21/13 Planning Staff Report, ORD-13-17 Approval Notice

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 0.57 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 414 Main Property, 402, 408 and 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-17). Notice of public hearing was published July 18, 2013.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: ORD-13-17

- PH-5 13-0855** Resolution to Approve 414 Main Site Plan and Development Agreement, 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 401-403 N Fourth and 414 N Main Staff Report with Attachments-Revised, 5/21/13 Planning Commission Minutes, 414 Main Development Agreement 7-23-13.pdf

A public hearing was conducted on the proposed Resolution to Approve 414 Main Site Plan and Development Agreement, 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays). Notice of public hearing was published July 25, 2013.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: R-13-255

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

- A-1 13-0939** Regular Session Meeting Minutes - July 15, 2013

Attachments: 07-15-13 Draft Minutes, council emails 7-15-2013_Redacted

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Minutes of the July 15, 2013 Regular Session be Approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:

CA-3 Resolution to Close Street for Beats, Eats, and Cleats in the Streets on Friday, September 6, 2013

CA-5 Resolution to Approve Street Closings for the "Dancing In The Streets" Special Event - September 1, 2013

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- CA-1 13-0861** Resolution to Approve a Purchase Order with SEHI Computers for FY2014 PC Replacement Program (NTE \$85,000.00)
Enactment No: R-13-250
- CA-2 13-0818** Resolution to Approve a Professional Services Agreement for Construction Materials Testing with CTI and Associates, Inc. for the Packard Street (Anderson to Kimberly) Resurfacing Project (RFP No. 845, \$32,977.00)
Attachments: CTI PSA Packard (Anderson to Eisen)
Enactment No: R-13-251
- CA-4 13-0843** Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2013 University of Michigan Student Move-In Program from August 28 - August 30, 2013
Attachments: U of M Student Move-In Closings Map 2013
Enactment No: R-13-252
- CA-3 13-0806** Resolution to Close Street for Beats, Eats, and Cleats in the Streets on Friday, September 6, 2013
Attachments: Beats, Eats, and Cleats Map
A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be Approved. On a voice vote, the Mayor declared the motion defeated unanimously.
Enactment No:
- CA-5 13-0926** Resolution to Approve Street Closings for the "Dancing In The Streets" Special Event - September 1, 2013
Attachments: Dancing in the Streets Map.pdf
A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-13-253

B ORDINANCES - SECOND READING

B New Business - Staff:

- B-1 13-0810** An Ordinance to Amend Sections 1:552.1 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement Changes Negotiated with the Police Service Specialists and the Command Officers Association of Michigan Bargaining Units (Ordinance No. ORD-13-20)
- Attachments:** 13-20 Chpt 18 Briefed, Sec 1 552 1 Chpt 18 Code PSS and COA, ORD 13-20 Approval Notice
- (The complete copy of the text of Ordinance No. ORD-13-20 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-13-20
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- B-2 13-0680** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.18 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 401 North Fourth Avenue Property, 401 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-18)
- Attachments:** ORD-13-18 401 N Fourth Ave Zoning Ordinance Briefed, 401 N Fourth Ave Zoning Ordinance.pdf, 5/21/13 Planning Staff Report, ORD 13-18 Approval Notice
- (The complete copy of the text of Ordinance No. ORD-13-18 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Kailasapathy, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-13-18
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- DB-3 13-0856** Resolution to Approve 401 North Fourth Avenue Site Plan and Development Agreement, 401-403 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- Attachments:** 401-403 N Fourth and 414 N Main Staff Report with Attachments-Revised, 5/21/13 Planning Commission Minutes, 401 N. Fourth Development Agreement
- A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-254

- B-3 13-0678** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.57 acre from PUD (Planned Unit Development District) to D2 (Downtown Interface Base District) and Secondary Street Building Frontage, 414 Main Property, 402, 408 and 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-13-17)
- Attachments:** ORD-13-17 414 Main St Zoning Ordinance Briefed, ORD-13-17 414 Main St Zoning Ordinance Briefed, 414 Main St Zoning Ordinance, 5/21/13 Planning Staff Report, ORD-13-17 Approval Notice
- (The complete copy of the text of Ordinance No. ORD-13-17 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Kailasapathy, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-13-17

- DB-2 13-0855** Resolution to Approve 414 Main Site Plan and Development Agreement, 414 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- Attachments:** 401-403 N Fourth and 414 N Main Staff Report with Attachments-Revised, 5/21/13 Planning Commission Minutes, 414 Main Development Agreement 7-23-13.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-255

C ORDINANCES - FIRST READING

C New Business - Staff:

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 13-0888** Resolution to Appoint John Ramsburgh to the Greenbelt Advisory Commission
- Sponsors:** Taylor
- Attachments:** Ramsburgh application
- A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-256

New Business - Council:

- DC-2 13-0958** Resolution Calling for Repeal of Michigan's Stand Your Ground Law and for Strengthening of Firearm Regulations
- Sponsors:** Warpehoski, Kailasapathy, Briere and Anglin
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**
- Yeas:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski
- Nays:** 1 - Councilmember Higgins
- Enactment No: R-13-257

DB New Business - Boards and Commissions:

- DB-1 13-0906** Resolution Approving Amendment to Cooperative Agreement between the United States of America Commodity Credit Corporation and the City of Ann Arbor for the Farm and Ranch Lands Protection Program and to Accept Grant Funds in the Amount of \$202,370.00
- A motion was made by Councilmember Taylor, seconded by Councilmember Anglin, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-258

RECESS

Mayor Hieftje declared a recess at 8:13 p.m. and reconvened the meeting at 8:23 p.m.

DS New Business - Staff:

- DS-1 13-0921** Resolution to Approve Street Closures for University of Michigan Football Games for the 2013 Season
- Attachments:** Main St closure - broad 8-6-13, Main St closure - close 8-6-13, Main St closure - west neighborhood 8-6-13
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the resolution be approved.**
- Enactment No: R-13-259

A motion was made by Councilmember Lumm, seconded by Councilmember Petersen, that the Resolution be amended as follows:

Memorandum

The attached resolution is to approve a request from the University of Michigan to close Main Street between Stadium and Pauline. CLOSURE FOR NORTH BOUND LANES WILL BE from three hours before the game until the game ends. CLOSURE FOR SOUTH BOUND LANES WILL BE FROM ONE HOUR BEFORE THE GAME UNTIL THE GAME ENDS. THE GAMES FOR 2013 SEASON ARE on the following dates: ...

...These closures would be effective three hours before a game to the end of the game., WITH THE EXCEPTION OF SOUTH BOUND S. MAIN STREET WHICH WILL BE CLOSED BEGINNING ONE HOUR BEFORE A GAME TO THE END OF THE GAME. Vehicle access from the neighborhood streets onto the closed area of S. Main Street would be either prohibited or restricted at police-controlled access points depending on the street to accommodate people needing ingress or egress to properties fronting S. Main Street that have no side-street access. ...

2nd Whereas Clause:

...Whereas, These closures would be effective three hours before a game to the end of the game, WITH THE EXCEPTION OF SOUTH BOUND S. MAIN STREET WHICH WILL BE CLOSED BEGINNING ONE HOUR BEFORE A GAME TO THE END OF THE GAME; and ...

RESOLVED Clause:

RESOLVED, Street closures on E. Keech Street between S. Main and Greene streets, limiting access to parking permit holders on Greene Street from E. Hoover to Keech streets, the westbound right-turn lane on E. Stadium Boulevard (onto S. Main Street) just south of the Michigan Stadium, and S. Main Street between Pauline and Stadium occur from three hours before until the end of each game, WITH THE EXCEPTION OF SOUTH BOUND S. MAIN STREET WHICH WILL BE CLOSED BEGINNING ONE HOUR BEFORE UNTIL THE END OF EACH GAME on the following dates:

On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-259

13-0921**Resolution to Approve Street Closures for University of Michigan Football Games for the 2013 Season**

Attachments: Main St closure - broad 8-6-13, Main St closure - close 8-6-13, Main St closure - west neighborhood 8-6-13

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be Amended as follows:

Add RESOLVED Clauses:

...RESOLVED, THAT FOLLOWING THE FIRST THREE GAMES OF THE 2013 UM FOOTBALL SEASON, CHIEF SETO PRESENTS A PRELIMINARY REPORT AT THE SEPTEMBER 16TH CITY COUNCIL MEETING;

RESOLVED, THAT CHIEF SETO MEETS WITH THE NEAR NEIGHBORHOODS TO DETERMINE ANY UNINTENDED CONSEQUENCES AND REPORTS TO THE CITY COUNCIL AT THEIR OCTOBER 7TH MEETING REGARDING THE CLOSURES FOR THE REMAINING OF THE GAMES.

On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-259

The question being, the Resolution as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Mayor Hieftje, Councilmember Kunselman, Councilmember Anglin, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Nays: 4 - Councilmember Higgins, Councilmember Teall, Councilmember Briere and Councilmember Kailasapathy

Enactment No: R-13-259

DS-2 13-0730**Resolution to Approve Ann Arbor Bike Share Master Agreement with Clean Energy Coalition for Implementation and Operation of a Bike Share System (\$150,000.00)**

Attachments: Bike Share Agreement 06272013 rev.pdf, Appendix A_Statement of Work 06272013.pdf, Appendix_B_Project Schedule_06102013.pdf, Appendix C Bike Share Capital Budget 06272013.pdf, Appendix D Bike Share Preliminary Station Locations 06272013.pdf

A motion was made by Councilmember Warpehoski, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

Nays: 2 - Councilmember Higgins and Councilmember Petersen

Enactment No: R-13-260

DS-3 13-0820

Resolution to Appropriate and Establish a Project Budget for the Design Phase of the Waldenwood Drive Sidewalk (\$10,000.00) (8 Votes Required)

Attachments: King School petition - sidewalk, Waldenwood Sidewalk Petition Maps, AAPS Letter 7-23-13

A motion was made by Councilmember Lumm, seconded by Councilmember Petersen, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

Nays: 0

DS-4 13-0929

Resolution to Approve Third Amendment to Professional Services Agreement with Aaron Seagraves as Public Art Administrator (\$18,500.00) and Appropriate Funds from the Public Art Fund Balance (\$20,500.00) (8 Votes Required)

Attachments: Seagraves Prof Services Agr Am 3

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Resolution be Approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

Nays: 2 - Councilmember Lumm and Councilmember Kailasapathy

Enactment No: R-13-261

DS-5 13-0923

Resolution Accepting Water Main Easement at 2700 South Industrial Highway from the Ann Arbor Transportation Authority (8 Votes Required)

Attachments: AATA 2700 S Industrial water main drawing

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-262

DS-6 13-0927 Resolution Accepting Sidewalk Easement from Byron Bunker and Amy Bunker (2760 Nixon Street) (8 Votes Required)

Attachments: 2760 Nixon Sidewalk Easement Drawing

A motion was made by Councilmember Petersen, seconded by Councilmember Lumm, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-263

DS-7 13-0928 Resolution Accepting Sidewalk Easement from Varsity at Ann Arbor, LLC at 425 East Washington Street (8 Votes Required)

Attachments: Varsity Sidewalk Easement Drawing

A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-264

E COMMUNICATIONS FROM THE MAYOR

E-1 13-0866 Appointments - Confirmations

Attachments: Evan Nichols app., Susan Perry

Mayor Hieftje requested confirmation of the following appointments that were placed on the floor for consideration at the July 15, 2013 regular session of Council:

Elizabeth Dean Fund Committee

*Susan A. Perry Replacing-John Remsburg
1708 Fair St.
Ann Arbor, MI 48103
Term: August 1, 2013 - July 31, 2015*

Zoning Board of Appeals

*Evan Nichols Filling Vacancy left by Carol Kuhnke
306 E. Madison
Ann Arbor, MI 48104
Term: August 5, 2013 - August 4, 2016*

A motion was made by Councilmember Briere, seconded by Councilmember Petersen, that the appointments be Approved:

On a voice vote, the Mayor declared the motion carried.

E-2 13-0959 Appointments & Nominations

Attachments: Reka Farrackand app., Alison Stroud, Rishi Narayan app., Jack Bernard App.

Mayor Hieftje placed the following nominations on the table for approval at a later date:

Ann Arbor Commission on Disability Issues

*Alison Stroud Filling vacancy of Ian Scott
5980 Plum Hollow Dr. Apt. 7
Pittsfield Twp., MI 48197
Term: August 19, 2013-August 18, 2016*

Building Board of Appeals

*Paul Darling- Re-Appointment
1430 Hatcher Crescent
Ann Arbor, MI 48103
Term: August 19, 2013-August 18, 2018*

Downtown Development Authority

*Rishi Narayan-replacing Leah Gunn
2108 Vinewood Blvd.
Ann Arbor, MI 48104
Term: August 19, 2013-August 18, 2016*

Housing Board of Appeals

*Reka Farrackand Filling remainder of Leon Moore's term
5052 Schrah Drive
Munith, MI 49259
Term: August 19, 2013-June 30, 2016*

Zoning Board of Appeals

*Alex Milshteyn Re-Appointment
316 Second Street #510
Ann Arbor, MI 48103
Term: August 18, 2013-August 18, 2016*

Ann Arbor Transportation Authority

*Jack Bernard
2030 Ferdon Rd.
Ann Arbor, MI 48104
Term: August 18, 2013-August 17, 2018*

Referred to the City Council due back on 8/19/2013

COMMUNICATIONS FROM COUNCIL

None.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 13-0905 Second Quarter 2013 Investment Portfolio Report

Attachments: 2013 Q2 Portfolio Report

Received and Filed

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

H-1 13-0915 Communication from the Ann Arbor Transportation Authority (AATA) regarding its June 2013 Monthly Reports - File

Attachments: AATA June 2013 Operating Notes, AATA June 2013 Operating Statement, AATA June 2013 Report to Treas, AATA Performance report by mode, AATA Q3 service standard report, AATA Quarterly Operating Statistics, AATA R2 Demand Resp graphs, AATA R2 Fixed Route graphs, AATA R2 Monthly Performance graphs, AATA R2 Weekday rider graphs

H-2 13-0916 Communication from Barton Hills Village Board of Zoning Appeals regarding a Public Hearing Notice Scheduled for August 12, 2013 of an Application for Variance Submitted by Lincoln and Lynne Smith, owners of Property at 326 Juniper Lane - Planning and Development Services

Attachments: Barton Hills Village ZBA Hearing Notice

H-3 13-0934 Communication from AT&T regarding its Sixth Annual Video Report to the Michigan Public Service Commission (MPSC) - CTN

Attachments: AT&T Communication

- H-4 13-0940** Communication from the Community Development Cooperative Regarding SEMCOG's proposed Regional Trail System
Attachments: CommunityTrailLetter7252013A.pdf
- H-5 13-0944** Communication from Daniel M. Moody, R.S., Washtenaw County Solid Waste Coordinator regarding a One Day County Clean up Collection at the Saline City Dept of Public Works for all County Residents on Sept. 21, 2013
Attachments: County Clean Up Flier - Saline, Saline dpw map-0613
- H-6 13-0955** Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice for DTE Customers in Case No. U-17216 Scheduled for August 15, 2013
Attachments: DTE Communication
- H-7 13-0956** Communication from the Department of Environmental Quality regarding Pre-application Meeting with MDEQ on File No. 13-81-0034-p
Attachments: DEQ Communication
- H-8 13-0968** Communication from Martin Vloet regarding the Proposed Main Street Closure on Michigan Football Saturdays
Attachments: Communication from Martin Vloet
- I The following minutes were received for filing:**
- I-1 13-0728** Historic District Commission Meeting Minutes of May 9, 2013
Attachments: 5-9-2013 HDC Minutes with Live Links to Agenda and Video.pdf
- I-2 13-0763** City Planning Commission Meeting Minutes of May 21, 2013
Attachments: 5-21-2013 CPC Minutes with Live Links
- I-3 13-0788** Zoning Board of Appeals Meeting Minutes of May 22, 2013
Attachments: 5-22-2013 ZBA Minutes with Live Links

- I-4 13-0833** Elizabeth Dean Fund Committee Meeting Minutes September 11, 2012, November 13, 2012, January 8, 2013, March 13, 2013, and May 14, 2013
Attachments: September11MeetingMinutes.pdf, November13MeetingMinutes.pdf, January8MeetingMinutes.pdf, March13MeetingMinutes.pdf, DFCMeetingMinutes051413.pdf
- I-5 13-0848** Ann Arbor Downtown Development Authority Meeting Minutes - June 5, 2013
Attachments: DDA Minutes 6-5-13
- I-6 13-0863** Downtown Area Citizens Advisory Council Meeting Minutes - July 2, 2013
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 070213
- I-7 13-0899** City Election Commission Meeting Minutes - October 16, 2012
Attachments: 2012-10-16 Election Commission minutes
- I-8 13-0920** Council Labor Committee Meeting Minutes of July 15, 2013
Attachments: Council Labor Committee Meeting Minutes 7-15-13

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).

A motion was made by Councilmember Taylor, seconded by Councilmember Warpehoski, that Council enter into Closed session to discuss pending litigation under the Open Meetings Act, MCLA 15.68(E). On a roll call, the vote was as follows with the Mayor declaring the motion carried (The meeting recessed at 10:52 p.m.):

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

Nays: 0

MEETING RECONVENED

Councilmember Higgins left the meeting at 10:53 p.m.

A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:07 p.m.

ADJOURNMENT

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Petersen, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:08 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, AUGUST 8, 2013

REPLAYS: FRIDAY, AUGUST 9, 2013, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests need to be received at least two (2) business days in advance of the meeting.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.